

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO. 3:00CR00043-18(PG)

ZAIDA GALARZA-CIDRON

**MOTION NOTIFYING VIOLATIONS OF THE SUPERVISION TERM AND
REQUESTING THE ISSUANCE OF A WARRANT OF ARREST**

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Yarixa Vázquez Marcano, U.S. Probation Officer of this Court, presenting an official report on the conduct and attitude of releasee Zaida Galarza-Cintrón who on February 7, 2003, was sentenced to seventy (70) months imprisonment, to be followed by a supervised release term of four (4) years after she was convicted of violating Title 21, United States Code, § 841(a)(1) . A search and seizure special condition was imposed. Additionally, the offender was ordered to participate in an inpatient or outpatient substance abuse treatment program if any drug sample detects substance abuse, and provide access to any financial information. The imposed supervision term commenced on July 3, 2007. On March 4, 2008, offender's conditions of release were modified to include mental health treatment in order to treat her depression symptoms and prevent a relapse to substance abuse.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

1. VIOLATION OF SUPERVISED RELEASE CONDITION NUMBER SEVEN (7) -

“The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.”

On November 6, December 4, 2007, January 8, 2008, and April 15, 2008, offender admitted the use of marihuana.

2. VIOLATION OF SPECIAL CONDITION - “If any drug test samples detect substance abuse, the defendant shall participate in a substance abuse treatment program (in-patient or out-patient) arranged and approved by the U.S. Probation Officer until duly discharged by authorized program personnel with the approval of the U.S. Probation Officer.”

In view of the offender's substance abuse problem, on October 31, 2007, Ms. Galarza-Cidróñ was referred to Grupo Psicológico Dr. José Cangiano & Assoc., an out-patient treatment program. Ms. Galarza-Cidróñ was provided with individual and group counseling. The offender failed to report to treatment on November 13, December 13, 27, 2007, January 15, February 7, and 14, 2008. Due to the offender's poor attendance, she was discharged from treatment on February 28, 2008. Consequently, a new relapse prevention plan was developed, in which offender's conditions of release were modified to include mental health treatment. Ms. Galarza-Cidróñ was provided with anti-depressant

medications but they were not effective enough to prevent offender from continued use of marihuana.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. In lieu of the aforementioned, it is respectfully requested that a warrant be issued so that the offender may be brought before this Court to show cause why her supervised release term should not be revoked. Thereupon, she to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 9th day of May 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Yarixa Vázquez-Marcano
Yarixa Vázquez-Marcano
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CERTIFICATE OF SERVICE

I HEREBY certify that on May 9th, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Rosa E. Rodríguez, Acting U.S. Attorney and Joseph Laws, Federal Public Defender.

In San Juan, Puerto Rico, this 9th day of May 2008.

s/Yarixa Vazquez-Marcano
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